

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**THOMAS E. HALL, on Behalf of Himself
and All Others Similarly Situated**

984 Cleveland Avenue
Amherst, OH 44001

Plaintiff,

vs.

VITRAN EXPRESS, INC.

c/o Registered Agent
Norman R. Garvin
10 W. Market Street, Ste. 1500
Indianapolis, IN 46204

Defendant.

CASE NO. 1:09-cv-00800

JUDGE DAN AARON POLSTER

**JOINT MOTION TO EXTEND
ANSWER DEADLINE**

NOW COME Plaintiff, Thomas E. Hall, and Defendant, Vitran Express, Inc. (“Vitran”), and jointly move this Court to extend the deadline for the Defendant, Vitran to answer or otherwise file responsive pleadings by thirty (30) days, through and including August 7, 2009. This joint request for extension is made for the following reasons:

1. After further investigation of the facts surrounding Plaintiff’s Complaint, Plaintiff has determined the need to amend the same, to add additional claims. This need has been communicated to Defendant’s counsel, who is presently required to Answer the initial Complaint on July 8, 2009.

2. That after discussion of this fact, counsel for both parties agree that it would be judicially economical and prudent to extend Defendant’s answer date so as to allow Plaintiff’s amended pleading as a matter of course and obviate the need for Defendant to file an additional

Answer.

3. Said additional time will allow counsel for both parties the opportunity to discuss the matter in depth which will result in a productive and informative case management conference to be later scheduled.

4. That said request is not made for undue delay.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the Court issue an Order extending Defendant's Responsive Pleading deadline in this matter by thirty (30) days, through and including August 7, 2009. A proposed Order is attached hereto for this Court's convenience.

Respectfully submitted,

STUMPHAUZER, O'TOOLE,
McLAUGHLIN, McGLAMERY &
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Respectfully submitted,

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ORDER

Upon review of the parties' Joint Motion to Extend Defendant's Answer Deadline and for good cause shown, this Court hereby GRANTS and APPROVES said Motion. Defendant is granted until August 7, 2009 to file its answer or responsive pleadings in this matter.

IT IS SO ORDERED this ____ day of _____, 2009

DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE